

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SERGEANTS BENEVOLENT ASSOCIATION)	Civil Action No.: 1:15-CV-06549
HEALTH & WELFARE FUND, INDIVIDUALLY)	
AND ON BEHALF OF ITSELF AND ALL)	
OTHERS SIMILARLY SITUATED,)	
)	
Plaintiff,)	
v.)	
)	
ACTAVIS, PLC, FOREST LABORATORIES,)	
LLC, MERZ GMBH & CO. KGAA, MERZ)	
PHARMA GMBH & CO. KGAA, MERZ)	
PHARMACEUTICALS GMBH, AMNEAL)	
PHARMACEUTICALS, LLC, TEVA)	
PHARMACEUTICALS USA, INC., TEVA)	
PHARMACEUTICAL INDUSTRIES, LTD.,)	
BARR PHARMACEUTICALS, INC., COBALT)	
LABORATORIES, INC., UPSHER-SMITH)	
LABORATORIES, INC., WOCKHARDT)	
LIMITED, WOCKHARDT USA LLC, SUN)	
PHARMACEUTICALS INDUSTRIES, LTD., DR.)	
REDDY'S LABORATORIES LTD., and DR.)	
REDDY'S LABORATORIES INC.,)	
Defendants.)	
)	

JOINT STATUS REPORT

The parties submit this Joint Status report pursuant to the April 26, 2019 Order entered by Magistrate Judge Robert Lehrburger (ECF No. 256).

Mediation

As previously stated, the End Payor Plaintiff (“EPP”) did not reach resolution through mediation with Forest and Merz (the “Brand Defendants”). The EPP and the Generic Defendants engaged in mediation in New York City on April 3, 2019, with Jonathan Marks. Subsequent efforts resulted in signed settlement agreements between the EPP on behalf of a putative

settlement class and Wockhardt, and with Amneal, Sun, and Upsher-Smith. The EPP did not reach agreement with the remaining Generic Defendants: Dr. Reddy's, Teva, Cobalt or Barr. Pursuant to those agreements, the EPPs and Wockhardt, Amneal, Sun, and Upsher-Smith have agreed to a stay of proceedings other than those incident to the settlement agreement and the settlement process, subject to the court's approval of the settlement, and will make formal filings necessary to effectuate that stay.

Case Schedule

Except as to the settling defendants, Wockhardt, Amneal, Sun, and Upsher-Smith,¹ the parties believe it would be beneficial to meet and confer regarding the remaining schedule in this matter. The parties would then submit to the Court the parties' views concerning further proceedings in this matter. The plaintiff believes it would be beneficial to hold a Case Management Conference to address the remaining fact discovery, including discovery as to third parties, and expert discovery for class certification and merits.

Pending motions

There are no pending motions.

Dated: June 26, 2019

By: Lori A. Fanning

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¹ Given the settlements, the parties will request a stay of proceedings as to defendants Wockhardt, Amneal, Sun, and Upsher-Smith until settlement approval and these defendants would not be subject to a case management order going forward.

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